

### REMARKS

By this amendment, claims 1, 7-9, 15 and 17 have been amended. Claims 1-18 remain in the application. This application has been carefully considered in connection with the Examiner's Action. Reconsideration, withdrawal of the final action, and allowance of the application, as amended, is respectfully requested.

#### **Rejection under 35 U.S.C. § 102**

##### **Claim 1**

Claim 1 recites a method for automatically discovering web services comprising:

querying a known UDDI server address by a networked lightweight CE device via a structured UDDI query, wherein the structured UDDI query includes the use of a unique identity indicative that a web service is compliant with a particular web service standard interface which is supported and understood by the networked lightweight CE device, the known UDDI server at the UDDI server address containing a list of web services, and further wherein the list of web services includes one or more distinct web services that are compliant with the particular web service standard interface and which can be used by the networked lightweight CE device to implement at least one of providing data to the networked lightweight CE device and enhancing a functionality of the networked lightweight CE device;

identifying from said list in response to the structured UDDI query the compliant web services; and

automatically downloading via a structured response to the networked lightweight CE device at least one machine readable description of a distinct web service from the list of identified compliant web services.

Support for the amendments to claim 1 (similarly, for claims 8, 15 and 17), can be found in the specification on at least page 1, lines 11-12; page 2, lines 9-13; page 4,

line 26 through page 5, line 6; and page 5, lines 24-26.

Claims 1-3, 6-10, and 13-14 were rejected under 35 U.S.C. § 102(e) as being anticipated by **Hillerbrand et al.** (US 2004/0054690). With respect to claim 1, Applicant respectfully traverses this rejection for at least the following reasons.

The PTO provides in MPEP § 2131 that

*"[t]o anticipate a claim, the reference must teach every element of the claim...."*

Therefore, with respect to claim 1, to sustain this rejection the **Hillerbrand et al.** reference must contain all of the above claimed elements of the respective claims. However, contrary to the examiner's position that all elements are disclosed in the **Hillerbrand et al.** reference, the latter reference does not specifically disclose a " ... structured UDDI query includes the use of a unique identity indicative that a web service ... compliant with a particular web service standard interface which is supported and understood by the networked lightweight CE device ... wherein the list of web services includes one or more distinct web services that are compliant with the particular web service standard interface and which can be used by the networked **lightweight CE** device to implement at least one of providing data to the lightweight CE device and enhancing a functionality of the networked lightweight CE device ... " as is claimed in claim 1. As defined in the specification, on page 2, lines 10-11, lightweight CE devices will not be able to use any of the above three solutions (i.e., (i) a user driven method for finding new web services (page 1, lines 23-24), (ii) use a search engine to find suitable web services (page 1, lines 28-32), and (iii) have its software or data cache upgraded over the network (page 2, lines 1-6)). In addition, the claimed embodiments define a mechanism by which the lightweight CE devices can use UDDI to discover new web services (page 7, lines 5-8), and which considers the specific needs of the lightweight CE devices.

*In contrast*, while the method of **Hillerbrand et al.** teaches computer-to-computer communications wherein input information is provided automatically in a predetermined format, with output provided in return in a predetermined format, with no intervening displays to a human being to provide a totally automated operation on a computer-to-computer basis, **Hillerbrand et al.** does not teach or suggest a "... structured UDDI query includes the use of a unique identity indicative that a web service ... compliant with a particular web service standard interface which is supported and understood by the networked lightweight CE device ... wherein the list of web services includes one or more distinct web services that are compliant with the particular web service standard interface and which can be used by the networked **lightweight CE** device to implement at least one of providing data to the lightweight CE device and enhancing a functionality of the networked lightweight CE device ..." as is claimed in claim 1 of the present application.

Therefore, the rejection is not supported by the **Hillerbrand et al.** reference and should be withdrawn. Accordingly, claim 1 is allowable and an early formal notice thereof is requested. Dependent claims 2-3 and 6-7 depend from and further limit allowable independent claim 1 and therefore are allowable as well.

By this amendment, claim 8 has been amended in a similar manner with respect to the amendments to claim 1. Claim 8 is believed allowable over the **Hillerbrand et al.** reference for reasons similar as stated herein above with respect to overcoming the rejection of claim 1. Accordingly, claim 8 is believed allowable and the rejection thereof should be withdrawn. Dependent claims 9-10 and 13-14 depend from and further limit allowable independent claim 8 and therefore are allowable as well.

**Rejection under 35 U.S.C. § 103**

Claims 4, 5, 11, 12, and 15-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Hillerbrand et al.** as applied to claim 1, and further in view of **Qian** (US 2003/0061206).

With respect to claims 4-5, Applicant respectfully traverses this rejection for at least the following reason. Dependent claims 4-5 depend from and further limit allowable independent claim 1 and therefore are allowable as well.

With respect to claims 11-12, Applicant respectfully traverses this rejection for at least the following reason. Dependent claims 11-12 depend from and further limit allowable independent claim 8 and therefore are allowable as well.

#### Claim 15

Claim 15 recites a method for automatically discovering TV Anytime web services comprising:

querying a known UDDI server address by a networked lightweight CE device via a structured UDDI query, wherein the structured UDDI query includes the use of a unique identity of indicative that a web service is compliant with a particular web service standard interface which is supported and understood by the networked lightweight CE device, the known UDDI server at the UDDI server address containing a list of web services, and further wherein the list of web services includes one or more distinct web services that are compliant with the particular web service standard interface and which can be used by the networked lightweight CE device to implement at least one of providing data to the networked lightweight CE device and enhancing a functionality of the networked lightweight CE device;

identifying from said list in response to the structured UDDI query the compliant web services; and

automatically downloading via a structured response to the networked lightweight CE device at least one machine readable description of a distinct web service from the list of identified compliant web services, said querying comprises transmitting the structured query in a predefined format, said structured query further including an element specifying a set of taxonomies to which said identified compliant web service must conform.

With respect to claim 15, Applicant traverses this rejection on the grounds that these references are defective in establishing a prima facie case of obviousness.

As the PTO recognizes in MPEP § 2142:

*... The examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness. If the examiner does not produce a prima facie case, the applicant is under no obligation to submit evidence of nonobviousness...*

It is submitted that, in the present case, a prima facie case of obviousness has not been factually supported for the at least the following reason.

**Even When Combined, the References Do Not Teach the Claimed Subject Matter**

The **Hillerbrand et al.** and **Qian** references cannot be applied to reject claim 15 under 35 U.S.C. § 103 which provides that:

*A patent may not be obtained ... if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains ... (Emphasis added)*

Thus, when evaluating a claim for determining obviousness, all limitations of the claim must be evaluated. Neither **Hillerbrand et al.** nor **Qian** teaches a "structured UDDI query includes the use of a unique identity indicative that a web service ... compliant with a particular web service standard interface which is supported and

understood by the networked lightweight CE device ... wherein the list of web services includes one or more distinct web services that are compliant with the particular web service standard interface and which can be used by the networked lightweight CE device to implement at least one of providing data to the lightweight CE device and enhancing a functionality of the networked lightweight CE device ... " as is claimed in claim 15.

Therefore, it is impossible to render the subject matter of claim 15 as a whole obvious, and the explicit terms of the statute cannot be met. The rejection under 35 U.S.C. §103 should be withdrawn. Accordingly, claim 15 is allowable and an early formal notice thereof is requested.

Dependent claim 16 depends from and further limits allowable independent claim 15 and therefore is allowable as well.

By this amendment, claim 17 has been amended in a similar manner with respect to the amendments to claim 15. Claim 17 is believed allowable over the **Hillerbrand et al.** and **Qian** references for reasons similar as stated herein above with respect to overcoming the rejection of claim 15. Accordingly, claim 17 is believed allowable and the rejection thereof should be withdrawn.

Dependent claim 18 depends from and further limits allowable independent claim 17 and therefore is allowable as well.

### Conclusion

Except as indicated herein, the claims were not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. Applicants furthermore reserve their right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or a continuation application.

It is clear from all of the foregoing that independent claims 1, 8, 15 and 17 are in condition for allowance. Dependent claims 2-7 depend from and further limit independent claim 1, and therefore are allowable as well. Dependent claims 9-14 depend from and further limit independent claim 8, and therefore are allowable as well. Dependent claim 16 depends from and further limits independent claim 15, and therefore is allowable as well. In addition, dependent claim 18 depends from and further limits independent claim 17, and therefore is allowable as well. The amendments herein are fully supported by the original specification and drawings as discussed herein; therefore, no new matter is introduced.

Withdrawal of the final action and issuance of an early formal notice of allowance of claims 1-18 is respectfully requested.

Respectfully submitted,



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